

October 29, 2004

Michael Powell, Chairman
Re: Payola and Payola Like Practices

Dear Commissioner Powell,

I am commenting on the Notice of Inquiry concerning payola. I find this is an on going unethical and unfair practice that is happening in many of our local radio stations on a regular basis. Many of our broadcasters have forgotten that the public owns the airwaves. The public has the right to say who and what should be played on the airwaves and not the one individual paying the most money. No matter if the individual consist of the artist, the record label, independent promoters, or independent radio promoters, paying money or giving expensive gifts should not be tolerated. As stated in the NOI, "payola and payola type practices are inconsistent with localism when they cause radio stations to air programming based on their financial stakes at the expense of their communities' needs and interest." Not only does the communities responsiveness get over looked to the extra revenue that the broadcaster can get, so does some artist. Many local, new, and established artists are being denied airtime because of how some programming decisions are being made. For example, some artist will not give into bribes, other artist refuse or just can not pay the broadcasters and in return they will not get the airtime they may deserve. This shows that localism is no longer the focus of the broadcasters in my community. It is clear the broadcaster pocketbooks are the deciding factors of what we hear. These practices are unfair and unethical. The FCC does have the responsibility to see that this is done away with and should make it easy to report any violators.

With payola and payola like practices occurring on a consistent basis, I believe it is the commissions' duty to step in to prohibit any form of this from occurring in my community and others. I would like to respectfully give some suggestions of how this can be accomplished.

1. I propose that anything other than sponsorship identification should not be allowed. Anytime money or a service is given it should be made public. For example, this was brought to you by (give the name).
2. Direct contact with any radio station employee, the artist, or anyone deemed to represent either party should no longer be allowed. Written correspondence, call ins, and venue owners to coordinate concerts would come into play.
3. All contact should be made through correspondence that is linked to the FCC for regulation and documentation. When a complaint is made documentation should be there to counter the complaint if not the violator is held accountable. Renewals should be greatly jeopardized.

In close, payola and payola like practices has no room in our communities. I urge the FCC to consider enacting some rules and regulations to stop these practices all together unless it is being announced. It is the commission's duty to see that the

radio stations are adhering to the regulations and serve the public by embracing localism.

I would like to thank you for your time and attention to this matter.

Sincerely,

La Tasha Fry